

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Rodney L. McClain, #09017-018,)	C.A. #8:09-3285-PMD
)	
Petitioner,)	
)	
vs.)	<u>ORDER</u>
)	
John Owens, Warden FCI Williamsburg,)	
)	
Respondent.)	
)	

This matter is before the court upon the magistrate judge's recommendation that petitioner's action be transferred to the Middle District of Florida, Jacksonville Division. The record includes the report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b)(1)(B). Because petitioner is pro se, this matter was referred to the magistrate judge.¹

This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is **ordered** that the petition in this case is construed as a *Writ of Error coram Nobis*, and this action is hereby

¹Pursuant to the provisions of Title 28 United States Code, § 636(b)(1)(B), and Local Rule 73.02(B) D.S.C., the magistrate judge is authorized to review pretrial matters, and submit findings and recommendations to this Court.

transferred to the Middle District of Florida, Jacksonville Division.

ORDERED, that the magistrate judge's report and recommendation is adopted as the order of this Court.

AND IT IS SO ORDERED.



PATRICK MICHAEL DUFFY
United States District Judge

April 6, 2010
Charleston, South Carolina